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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/528,524	03/20/2000	Jacques Michelet	B-3881-617765-1	5142

7590

09/24/2002

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EXAMINER

HUYNH, LUAT T

ART UNIT

PAPER NUMBER

2121

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/528,524

Applicant(s)

MICHELET ET AL.

Examiner

Luat (Luke) T. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Response to Arguments***

Applicant's arguments filed 08/14/02 have been fully considered but they are not persuasive.

In the REMARKS on page 9 of the amendment filed on 08/14/02, Applicants submit that the art relied upon by the Examiner does not teach, disclose or suggest all of the claimed elements of independent claims 1, 6, and 15.

First, Applicants submit that the combination of Mermelstein with HP-MaxiLife does not teach, describe, or suggest "*said service channel is also used to permit said independent electronic circuit to have access to the On Screen Display (ODS) capability of said at least on display in order to display text and/or graphics independently of said processor and said operating system*". It is clarified that the stated above situation is covered in HP-MaxiLife (page 2, lines 35-37), wherein the independent electronic circuit is considered as the independent hardware monitoring and diagnostic system for personal computers. Also, HP-MaxiLife mentions the term LCD (page 2, line 36), which is a display device that has the same functionality as the On Screen Display (ODS).

Second, Applicants submit that the combination of Mermelstein and HP-MaxiLife does not teach "*said at least one display receives a graphics channel...and a service channel*". Regarding the limitation of "a graphics channel...and a service channel", Applicants' attention is directed to the graphics controller of Mermelstein (see element 180, Fig. 3A). Nowhere in the HP-MaxiLife reference does it mentions about the service channel, but HP-MaxiLife teaches a system consists of an integrated microprocessor, a dedicated IC bus and a Liquid Crystal Display

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(LCD) showing status and system information (page 1, lines 3-5). One of ordinary skill in the art would recognize that the system includes the service channel in order maximize system up-time by constantly monitoring critical system components. Therefore, the combination of Mermelstein with HP-MaxiLife teaches all the limitations of claim 1. Claims 6 and 15 are rejected for the same reason as claim 1.

With respect to dependent claims 2, 7, and 16, Applicants request that the Examiner shows where in Mermelstein, HP-MaxiLife, or VESA the teaching or suggestion of the display consists of "*a bi-directional serial communication link which is compatible with IC protocol, providing either DDC or DDC/CI communication link which is compatible with said operating system*" to make the claimed combination is found. VESA states that IC based protocols offer bi-directional communication between the computer graphic host and the display device to have good communication performances (see Summary on page 1).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

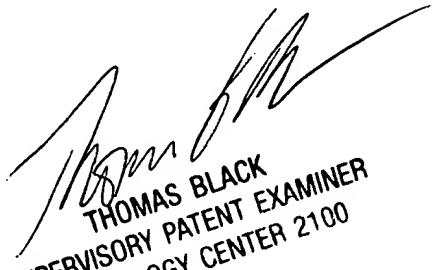
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke T. Huynh whose telephone number is (703) 305-4562. The examiner can normally be reached on Monday-Friday, alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (703) 305-9707. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LUKE HUYNH
PATENT EXAMINER

lh
September 18, 2002


THOMAS BLACK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100